

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. OSAB 2002-34
)	OSHCO ID Z0255
DIRECTOR, DEPARTMENT OF LABOR)	Inspection No. 305303323
AND INDUSTRIAL RELATIONS,)	
)	ORDER NO. 23
Complainant,)	
)	PRETRIAL ORDER
vs.)	
)	
GLOBAL CONSULTANTS & COATINGS,)	
)	
Respondent.)	

PRETRIAL ORDER

Pursuant to the representations of counsel at the initial conference held on November 21, 2002, IT IS HEREBY ORDERED THAT:

1. The issues to be determined are:
 - (a) Whether Respondent violated 29 CFR 1926.501(b)(1) as described in Citation 1, Item 1, issued on October 2, 2002?
 - (i) Whether the characterization of the violation as “serious” and the imposition of the \$1,500.00 proposed penalty are appropriate?
 - (b) Whether Respondent violated 29 CFR 1926.453(b)(2)(v) as described in Citation 1, Item 2, issued on October 2, 2002?
 - (i) Whether the characterization of the violation as “serious” and the imposition of the \$750.00 proposed penalty are appropriate?
2. Trial is scheduled on February 18, 2003 at 9:30 a.m. in the Board’s hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.
3. Discovery deadlines are:

Designation of live witness and exchange
of expert witness reports

January 3, 2003

Discovery cut-off

January 17, 2003

4. Hereafter, this Pretrial Order shall control the course of proceedings and may not be amended except by consent of the parties and the Board, or by order of the Board.

DATED: Honolulu, Hawaii, November 26, 2002.

HAWAII LABOR RELATIONS BOARD


BRIAN K. NAKAMURA, Chair


CHESTER C. KUNITAKE, Member


KATHLEEN RACUYA-MARKRICH, Member

NOTICE TO EMPLOYER

You are required to post a copy of this Order at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the trial date.

Copies sent to:

Leo B. Young, Deputy Attorney General
John Phelps
Painter's Union